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OCT 09 2007

Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/981,878
Filing Date: October 18, 2001
Appellant(s): GENTY ET AL.

MAILED

OCT 09 2007

Technology Center 2100

Volel Emile (Reg. No. 39,969)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7-5-2007 appealing from the Office action
mailed 6-01-2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The objection to the claims based on the consistency of the use of the word "Web" will be corrected by an Examiner's Amendment, should it be necessary after a decision from the board.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

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(8) Evidence Relied Upon

6,189,024

Bauersfeld et al.

2-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 4-6, 9-11, 14-16, and 19-29 rejected under 35 U.S.C. 102(e) as being anticipated by Bauersfeld et al., Patent #6,189,024, hereinafter Bauersfeld.

7. With regard to claim 1, which teaches a method of accessing and displaying a plurality of bookmarked Web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a system which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality

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of buttons ("play", "forward", "back"). With regard to claim 1, further teaching activating a browser for a first time in a day, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence, and asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and make them available when the browser is opened for the first time in a day).

8. With regard to claims 4, 9, 14, and 19, which teach at least one icon being a next icon, Bauersfeld further teaches, in column 3, lines 48-63, column 4, lines 3-11, column 6, lines 5-24, and in figures 4-6, a Forward button for progressing forward to the next path element.

9. With regard to claims 5, 10, 15, and 20, which teach that the other icon is a previous icon, Bauersfeld further teaches, in column 3, lines 48-63, column 4, lines 3-11, column 6, lines 5-24, and in figures 4-6, a Back button for progressing backward to the previous path element.

10. With regard to claim 6, which teaches a computer program product on a computer readable medium for accessing and displaying a plurality of bookmarked Web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a

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computer program product which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality of buttons ("play", "forward", "back"). With regard to claim 6, further teaching code means activating a browser for a first time in a day, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence, and code means for asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and make them available when the browser is opened for the first time in a day).

11. With regard to claim 11, which teaches an apparatus for accessing and displaying a plurality of bookmarked Web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a system which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality of buttons ("play", "forward", "back"). With regard to claim 11, further teaching means for activating a browser for a first time in a day, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the

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sequence, and means for asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and make them available when the browser is opened for the first time in a day).

12. With regard to claim 16, which teaches a computer system for accessing and displaying a plurality of bookmarked Web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a system which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality of buttons ("play", "forward", "back"). With regard to claim 16, further teaching activating a browser for a first time in a day, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence, and asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and

make them available when the browser is opened for the first time in a day). With regard to claim 16, further teaching a memory device for storing code data, and a processor for processing said code data, Bauersfeld teaches, in column 2, lines 60-65 the system being implemented in a computer application, in a computer environment, which inherently implies the use of a processor for processing code stored in a memory.

13. With regard to claims 21, 23, 25, and 27, which teach after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence, Bauersfeld teaches, in column 4, lines 3-34, a user traversing a saved path of Web pages via "Back" and "Forward" buttons, it can be seen that should a user press the "Back" button the current Web page selected for display has different Web pages associated with the "Back" and "Forward" buttons than the Web page that the user was at prior to pressing the "Back" button.

14. With regard to claims 22, 24, 26, and 28, which teach after accessing a previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon, Bauersfeld teaches, in column 4, lines 3-34, a user traversing a saved path of Web pages via "Back" and "Forward" buttons, it can be seen that should a user press the "Back" button the current Web page selected for display has different Web pages associated with the "Back" and "Forward" buttons than the Web page that the user was at prior to pressing the "Back" button.

15. With regard to claim 29, which teaches a method of bookmarking a plurality of web pages such that the plurality of bookmarked web pages can be accessed without

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opening a bookmark folder in which the plurality of bookmarked web pages are stored comprising the steps of: bookmarking the plurality of bookmarked web pages by storing the plurality of bookmarked web pages into the bookmark folder, the plurality of bookmarked web pages being stored in the bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a system which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality of buttons ("play", "forward", "back"). With regard to claim 29, further teaching enabling an icon in a browser to be associated with the first bookmarked Web page in the sequence, enabling the icon upon being asserted to access and display the associated bookmarked Web page, and allowing the icon to be asserted upon instantiation of the browser, Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and make them available when the browser is opened for the first time in a day). With regard to claim 29, further teaching the icon, after accessing and displaying an associated bookmarked Web page, is disassociated with the displayed bookmarked Web page in the sequence, Bauersfeld teaches, in column 4, lines 3-34, a user traversing a saved path of Web pages via "Back" and "Forward" buttons, it can be seen that should a user press the "Back" (or "Forward") button the current Web page selected

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for display has different Web pages associated with the “Back” and “Forward” buttons than the Web page that the user was at prior to pressing the “Back” button.

(10) Response to Argument

Claims 1, 4-6, 9-11, 14-16, and 19-29:

With respect to the arguments directed at the group of claims including Claims 1, 4-6, 9-11, 14-16, and 19-29 the Appellant’s arguments are focused on the limitations regarding the browser having the session data upon being started up. More specifically, as stated from representative Claim 1, the limitation argued is:

“activating a browser for a first time in a day, said browser, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence; and asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.”

Since the interpretation of the limitation is the basis for the arguments, the Examiner’s interpretation is now given. The claim, as interpreted by the examiner, pertains to a system for navigating a set of bookmarked web pages through the use of one or more buttons, where the bookmarked web pages are already in the browser upon the browser being activated for the first time in a day. As stated in the eighth paragraph of MPEP 2101[R2].II.C.,

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"Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997)."

Based on the interpretation of the claim limitations being argued, the Examiner will now explain how the teachings of the Bauersfeld reference are within the scope of these limitations.

Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, a system which accesses and displays a series of Web pages, the Web pages being arranged in a folder in the order in which they are marked by the user (this can later be organized by the user), for perusal by a user via a plurality of buttons ("play", "forward", "back"). Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button ("play", "forward", "back"), these marked Web pages being saved for later perusal (similar to a bookmark, which is known in the art to be save its contents and make them available when the browser is opened for the first time in a day).

With reference to figure 4, when the user starts the browser, either in the general fashion of selecting a browser icon or through selecting an attachment containing a path sent to them via email (providing that path in the browser), the user can then traverse the path currently listed in the folder selection box [407]. Traversal is done through selection of the "Back" [403] and "Forward" [404] buttons. If the user opens a browser

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in the traditional fashion a home page is first displayed, and then a user can enter traversal of a saved session path through selection of the "Forward" [404] button (initiating traversal of the session currently in the box) or select a new folder via the drop down arrow [408] (see column 3, line 48 through column 4, line 34). The system allows a user to "routinely come into work and check her stock prices, read the news, visit an intranet page, read her email, read a newsgroup, and look at her calendar" (see column 6, lines 7-10) where "(e)ach path is plugged into the session history toolbar making following a daily path as simple as hitting the back and forward button." (see column 6, lines 17-20)

The examiner will now address the individual arguments and statements made by Appellant.

From pages 5 and 6 of the Appeal Brief, from the last paragraph of page 5, the Appellant argues that in Bauersfeld "The default session file folder is normally empty when the user instantiates the browser for the first time in a day. The session file folder does not start to fill up until the user has started to navigate through the Internet".

The examiner respectfully contends that Bauersfeld teaches, in column 3, lines 42-45, the session starting when a user requests it to start and doesn't end until told to do so by the user. Allowing a user to start a browser and still be in the session that never ended last time the user exited the browser. Bauersfeld further teaches that the

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sessions can be saved for later perusal (see column 3, lines 63-65 and column 4, lines 22-23), showing that the session folder accessed in the dropdown can be a saved session from an earlier browser session.

From page 5 of the Appeal Brief, from the second paragraph, the Appellant argues that Bauersfeld does not teach “activating a browser for a first time in a day, wherein the browser, upon activation, has at least one icon associated with the first one of said bookmarked web pages in the sequence; and of accessing and displaying said first one of said bookmarked Web pages by asserting an icon” But rather teaches “the user has to make that association by choosing a session file folder that contains a set of bookmarked Web pages or that the user has to begin to navigate through the Internet before the association occurs.”

The examiner respectfully contends that the claim does not limit against a user being able to select a session path from the drop down before using the Back” and “Forward” buttons to initiate traversal. Bauersfeld teaches, in column 6, lines 7-23, a unique path that a user takes every day when they come in to work (open the browser) can be created, prior to presentation and traversed by means as simple as hitting the “Back” and “Forward” buttons. Bauersfeld further teaches, in column 6, lines 27-29, a path being sent to a user as an attachment to an email, where when a user chooses the attached path the browser would open with that path pre-selected for traversal with the “Back” and “Forward” buttons.

From page 5 of the Appeal Brief, from the second paragraph, the Appellant argues that the “Examiner does not assert that the applied reference teach the claimed limitations of allowing the icon to be asserted upon instantiation of the browser.”

The examiner respectfully contends that as cited in the prior rejection Bauersfeld teaches, in column 3, lines 8-12 and in column 3, line 48 through column 4, line 34, the user perusing a plurality of Web pages via at least one button (“play”, “forward”, “back”). Where the web pages are opened in the browser program (see column 3, lines 35-47).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

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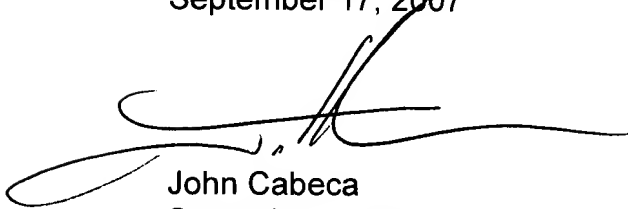
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Conferees:



Dennis G. Bonshock
Examiner
September 17, 2007



John Cabeca
Supervisory Patent Examiner
September 17, 2007



Kristine Kincaid
Supervisory Patent Examiner
September 17, 2007